IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE SIXTEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NO : 26997 of 2003

Between:

E. Ramulu, S/o. Pullaiah
R/o. H.No.4/135, Ravindra Nagar, Kadapa District.

... PETITIONER

AND

1 APSRTC., rep., by its Managing Director, Musheerabad, Hyderabad.
2 The Deputy Chief Traffic Manager, APSRTC., Kadapa District.
3 The Depot Manager, APSRTC., Rajampet Depot, Kadapa District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to call for the records from the 3rd respondent with an appropriate writ, order or direction particularly one in the nature of writ of mandamus declaring the action of the 3rd respondent in his proc.No.M1/2[9]/00-RJPT, dated 29.7.2000 deleting the name of the petitioner from the selection list of drivers alleging misconduct as arbitrary, discriminatory, illegal, unjust, contrary to law, in violation of principles of natural justice, without jurisdiction and also in violation of Articles 14,16 and 21 of the Constitution of India and grant all consequential benefits.

Counsel for the Petitioner: MR.A.K.JAYAPRAKASH RAO

Counsel for the Respondents: MR.P.V.SWAMY

The Court made the following Order:

ORDER:

It is submitted by the counsel for the respective parties that the issues involved in this writ petition are covered by the judgment of this Court dated 29.04.2003 in WP No.4837 of 2003 and that the order impugned in this writ petition viz., of the Deport Manager, Rajampet dated 29.07.2000 removing the name of the petitioner, a daily wage driver, from the approved list/select list cannot be sustained in the light of the judgment of this Court supra. The judgment of the learned Single Judge of this Court dated 29.04.2003 has also been confirmed by the Division Bench by the judgment dated 29.08.2003 in WA No.1259 of 2003.

In the circumstances the writ petition is allowed in terms of the judgment dated 29.04.2003 in WP No.4837 of 2003.

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(GODA RAGHURAM, J)

July 16, 2004

Dsk/Pvks

That Rule Nisi has been made absolute as above.

Witness the Hon'ble Sri Devinder Gupta, the Chief Justice on this

Friday the Sixteenth day of July Two thousand and Four.

To

1 APSRTC, rep., by its Managing Director, Musheerabad, Hyderabad.
2 The Deputy Chief Traffic Manager, APSRTC, Kadapa District.
3 The Depot Manager, APSRTC, Rajampet Depot, Kadapa District.

4 Two C.D. Copies